

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re

No. C-12-4862 EMC (pr)

SAMUEL N. BROWN,


Plaintiff.

ORDER OF DISMISSAL

This action was opened on September 17, 2012, when the Court received from Samuel N. Brown a letter with some exhibits concerning alleged retaliation against him in prison. On that date, the Court notified Plaintiff in writing that his action was deficient in that he had not attached a complaint and had not filed an *in forma pauperis* application. The Court further notified Plaintiff that this action would be dismissed if he did not submit a complaint and *in forma pauperis* application within thirty days. Plaintiff did not file a complaint or *in forma pauperis* application. Instead, he sent a letter dated October 16, 2012, requesting that the action be dismissed because he did not intend to file a civil action at this time. (Docket # 4.) Accordingly, this action is **DISMISSED** without prejudice for failure to submit a pleading showing the Court has subject matter jurisdiction. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: December 21, 2012


EDWARD M. CHEN
United States District Judge